

### **ABSTRACT OF THE DISCLOSURE**

An apparatus and method for detecting an answering machine for a new voice message delivery method and system. The invention detects the presence of an existing answering machine or voicemail system of a Recipient by listening for talk-over during playback of the message or initial prompts. The method and system will also restart playback of the prompts and/or message if talk-over is detected to ensure that the message is properly recorded on the answering machine.